

- Jan 31, 2014 – NRC staff issued FSEIS
- OST & consolidated intervenors filed contentions on March 17, 2014 on the FSEIS.
- Contentions at issue from DSEIS that OST proposed for migration to FSEIS:
 - Contention 1A: Failure to Meet Applicable Legal Requirements Regarding Protection of Historical and Cultural Resources.
 - Contention 1B: Failure to Involve or Consult All Interested Tribes as Required by Federal Law.
 - Contention 2: The DSEIS Fails to Include Necessary Information for Adequate
 - Contention 3: The DSEIS Fails to Include Adequate Hydrogeological Information to Demonstrate Ability to Contain Fluid Migration and Assess Potential Impacts to Groundwater.
 - Contention 4: The DSEIS Fails to Adequately Analyze Ground Water Quantity Impacts.
 - Contention 6: The DSEIS Fails to Adequately Describe or Analyze Proposed Mitigation Measures.
 - Contention 9: The DSEIS Fails to Consider Connected Actions.
 - Contention 14A: Whether an appropriate consultation was conducted pursuant to the Endangered Species Act and implementing regulations.
 - Contention 14B: Whether the DSEIS's impact analyses relevant to the greater sage grouse, the whooping crane, and the black-footed ferret are sufficient.
- April 4, 2014 – NRC responds to OST's contentions, includes args as to why ASLB should deny ESA contentions.
- April 8, 2014 – NRC issued ROD and license
- April 28, 2014 – ASLB issues Memorandum and Order on Contentions – Admitted contentions
 - Contention 1A: Failure to Meet Applicable Legal Requirements Regarding Protection of Historical and Cultural Resources.
 - Contention 1B: Failure to Involve or Consult All Interested Tribes as Required by Federal Law.
 - Contention 2: The FSEIS Fails to Include Necessary Information for Adequate Determination of Baseline Ground Water Quality.
 - Contention 3: The FSEIS Fails to Include Adequate Hydrogeological Information to Demonstrate Ability to Contain Fluid Migration and Assess Potential Impacts to Groundwater.
 - Contention 4: The FSEIS Fails to Adequately Analyze Ground Water Quantity Impacts.
 - Contention 6: The FSEIS Fails to Adequately Describe or Analyze Proposed Mitigation Measures.
 - Contention 9: The FSEIS Fails to Consider Connected Actions.
 - Contention 14A: Whether an appropriate consultation was conducted pursuant to the Endangered Species Act and implementing regulations.
 - Contention 14B: Whether the FSEIS's impact analyses relevant to the greater
- June 20, 2014 – OST issues statement of position on contentions; withdraws ESA contentions
 - "Although OST does not concede that the NEPA environmental documents or the consultation documents provided by NRC Staff protect Powertech or NRC Staff against the civil and criminal penalties contained in the Golden Eagle Protection Act ("Eagle

Protection Act”) (16 USC 668-668c), Migratory Bird Treaty Act (“MTBA”), 16 USC § 703-711, and Section 7 and 9 of the Endangered Species Act, 16 U.S. Code § 1531, et seq. and in an effort to streamline the present proceedings, the Oglala Sioux Tribe voluntarily withdraws Contention 14A and 14B. The Tribe reserves the right to pursue any action involving violation of these statutes in the appropriate forum, in accordance with these statutory provisions.”

- June 30, 2014 – Powertech moves to dismiss ESA contentions
- July 15, 2014 - ASLB grants request OST’s request to withdraw and Powertech’s Motion to Dismiss ESA contentions